

## Message Text

PAGE 01 SANTIA 00415 252317Z

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ACTION SS-30

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FM AMEMBASSY SANTIAGO

TO SECSTATE WASHDC IMMEDIATE 7275

S E C R E T SANTIAGO 0415

EXDIS

EO 11652: GDS

TAGS: PINS, CI, UR

SUBJ: SOVIET INTEREST IN LUIS CORVALAN

REF: SANTIAGO 6039

FOR THE SECRETARY FROM CHARGE

1. IN COURSE OF MEETING WITH FOREIGN MINISTER HUERTA ON OTHER MATTERS TODAY, JANUARY 25, I RAISED CORVALAN CASE. FOREIGN MINISTER SAID HE COULD ASSURE ME THAT CORVALAN IN NO DANGER OF SUMMARY EXECUTION NOW OR IN FUTURE AND THAT IF INVESTIGATION HIS CASE PRODUCES EVIDENCE SUFFICIENT TO BRING LEGAL CHARGES AGAINST HIM, CORVALAN WILL BE TRIED PROPERLY UNDER CHILEAN LAW.

2. FOREIGN MINISTER SAID CORVALAN STATUS IS THE SAME AS THAT OF OTHER PROMINENT DETAINEES BEING HELD ON DAWSON ISLAND. GOC IS CONCERNED SLOWNESS OF INVESTIGATIVE PROCESS NOW UNDER WAY TO DETERMINE WHETHER THESE PERSONS MAY BE CHARGED WITH CRIMINAL OFFENSES UNDER CHILEAN LAW, RECOGNIZING THAT DELAY IS BAD FOR ITS INTERNATIONAL IMAGE. GOC RECOGNIZES THAT SOME OF THESE PERSONS HAVE NOT COMMITTED CRIMES AND HAS RELEASED THOSE EXONERATED BY INVESTIGATIVE PROCESS. HE CITED AS AN EXAMPLE RELEASE OF ANICETO RODRIGUEZ, FORMER SECRETARY GENERAL OF SOCIALIST PARTY (PS), ANNOUNCED JANUARY 22. HUERTA SAID THAT APART FROM INVESTIGATIVE DELAYS, GOC IS ALSO CONCERNED WITH ULTIMATE DISPOSITION OF CASES OF INDIVIDUALS GUILTY OF SERIOUS OFFENSES NEVER ENVISAGED IN CHILEAN LEGISLATION. FOR EXAMPLE, FORMER FOREIGN MINISTER  
SECRET

PAGE 02 SANTIA 00415 252317Z

ALMEYDA'S CREATION OF A PARALLEL ORGANIZATION FOR THE CONDUCT OF FOREIGN RELATIONS OUTSIDE THE FOREIGN MINISTRY. ALMEYDA CAN BE TRIED FR THE MINOR OFFENSE OF INSIGNIFICANT FRAUD BUT THER IS NO CHILEAN LAW UNDER WHICH HE CAN BE TRIED FOR HIS REAL OFFENSES.

HUERTA SAID HE PERSONALLY IS ADAMANTLY OPPOSED TO A "NUREMBERG PROCEDURE" TO ESTABLISH AFTER THE FACT NEW CRIMINAL OFFENSES UNDER WHICH THESE PERSONS CAN BE TRIED. HE SAID HE HAS RECOMMENDED THAT THE GOC MAKE PUBLIC THE OFFENSES THESE PERSONS HAVE COMMITTED AND EXILE THEM ON THE GROUNDS THAT THEIR OFFENSES ARE NOT PUNISHABLE UNDER CHILEAN LAW.

3. INDEPENDENTLY WE HAVE LEARNED THAT CORVALAN'S FAMILY HAS RETAINED CHILEAN ATTORNEY LUIS ORTIZ QUIROGA TO HANDLE HIS DEFENSE AND THAT SPANISH ATTORNEY JOAQUIN RUIZ GIMENEZ, FORMER EDUCATION MINISTER AND FORMER AMBASSADOR TO THE VATICAN, TOGETHER WITH A WELL-KNOWN FRENCH ATTORNEY, MAY BE BROUGHT INTO THE CASE BY ORTIZ.  
THOMPSON

SECRET

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